

DRAFT BLOOMFIELD CANNABIS REGULATIONS

Section 7.17 Cannabis Cultivation and Sale and Medical Marijuana Dispensary and Production

7.17.1. Purpose. The purpose of this section is to regulate the location and operation of medical marijuana dispensary facilities, medical and recreational marijuana production facilities, and cannabis retail and cultivation. The intent of these regulations is to minimize any adverse impacts of such facilities, and to protect and preserve Bloomfield's neighborhoods, commercial districts, property values and quality of life.

7.17.2 Definitions. (See Section 2 under "Cannabis Related Terms)

7.17.3 Applicability:

A. Medical marijuana dispensary facilities and production facilities shall be governed by CGS Sec. 21a-408 et seq. as amended and Sections 21a-408-1 to 21a-408-70, inclusive, of the Regulations of Connecticut State Agencies as they may be amended. These facilities shall be permitted only in the zoning districts designated in these regulations, subject to Special Permit approval in accordance with Section 9.5 of these Regulations, site plan approval in accordance with Section 9.4 of these Regulations, and the requirements of this section.

B. Cannabis retail and hybrid-retail facilities shall be governed by The Responsible and Equitable Regulation of Adult-Use Cannabis Act ("RERACA"), Public Act 21-1 / Senate Bill 1201 as may be amended and inclusive of the Regulations of Connecticut State Agencies as they may be amended. These facilities shall be permitted only in the zoning districts designated in these regulations, subject to special permit approval in accordance with Section 9.5 of these Regulations, site plan approval in accordance with Section 9.4 of these Regulations, and the requirements of this section.

C. Cannabis cultivator and micro-cultivator facilities shall be governed by the RERACA, Public Act 21-1 / Senate Bill 1201 as amended inclusive of the Regulations of Connecticut State Agencies as they may be amended. These facilities shall be permitted only in the zoning districts designated in these regulations, subject to special permit approval in accordance with Section 9.5 of these Regulations, site plan approval in accordance with Section 9.4 of these Regulations, and the requirements of this section.

D. Dispensary facilities, Production facilities, Cannabis retailer, Hybrid-retailer, Cultivator and Micro-cultivator facilities shall be allowed in the I-1 and I-2 Industrial Zones subject to the requirements of these regulations.

Cannabis Retailer; Dispensary facilities and Hybrid-retailer shall be allowed in the BCD, GWD, I-1 and Commercial (C) subject to the requirements of these regulations.

7.17.4 Separation Requirements. Uses identified in this section shall be subject to the following separation restrictions:

A. No medical marijuana production, or cannabis cultivator or micro-cultivator facility shall be allowed within 500 feet of any lot or plot upon which a school, house of worship or library is located,

B. No medical marijuana production facility, or cannabis cultivator or micro-cultivator facility shall be allowed on a site that is less than 300 feet from any property that is zoned for single-family residential use as a permitted use;

C. No medical marijuana dispensary facility or production facility, or adult use cannabis retailer, hybrid-retailer, cultivator, or micro-cultivator facility shall be allowed within the same building, structure or portion thereof that is used for residential purposes, or that contains another medical marijuana dispensary, production facility, or cannabis retail, hybrid retail, cultivator or micro-cultivator facility;

D. No adult-use cannabis retail or hybrid-retail shall be located less than 500 feet from another adult-use cannabis retail or hybrid-retail. Distance shall be measured from the radius of the front door to front door of each establishment.

E. All distances contained in this section, other than those specified in the subsection “D” above shall be measured by taking the nearest straight line between the respective lot boundaries of each site.

7.17.5 Sign and exterior display requirements:

A. Exterior signage shall be restricted to a single sign no larger than 16” x 18” containing the legal name of the entity and the street address of the facility.

7.17.7 Off-Street Parking requirements:

A. Required off-street parking shall be in compliance with Section 6.2 of these regulations.

7.17.8 Security Requirements:

A. All marijuana dispensary facilities and production facilities shall have an adequate security system to prevent and detect diversion, theft or loss of marijuana utilizing commercial grade equipment meeting at least the minimum requirements of the State of Connecticut Regulations;

B. The hours of operation for retail marijuana, medical marijuana dispensary facilities, and hybrid facilities shall be limited to between 8:00 a.m. and 10:00 p.m., Monday through Saturday and 12 p.m. to 6:00 p.m. on Sundays.

C. There shall be no limitation on the hours of operation for marijuana production or cultivation facilities.

7.17.9 Conditional Approval:

A. Special Permits shall be approved with the condition that the applicant obtains the appropriate Dispensary or Production Facility license issued by the State of Connecticut Department of Consumer Protection (or other State agency as regulatory changes occur);

B. The conditional approval shall become finalized upon the receipt by the Director of Planning of a copy of the Department of Consumer Protection-issued license;

C. The conditional approval shall expire if the applicant fails to provide the Director of Planning with a copy of the Department of Consumer Protection-issued license within six months of the date of the Town Plan and Zoning Commission’s (TPZ) conditional approval;

1. A six month extension of such conditional approval shall be granted to the applicant upon written notification to the Director of Planning that an application for a Department of Consumer Protection license has been filed, indicating the expected decision date of the Department of Consumer Protection license.

D. No entity shall operate without a valid, current license.

7.17.10 Connecticut Department of Consumer Protection Approval:

A. The applicant shall provide the Director of Planning with a copy of the appropriate Dispensary or Production Facility license issued by the State of Connecticut Department of Consumer Protection, and any subsequent renewed license.

7.17.11 Additional Requirements – In addition to the requirements for Special Permit and Site Plan submission the following shall be required:

A. Applicants for Production, Cultivator and Micro-cultivator facilities shall submit an odor control plan as part of their application.

B. All production and storage of cannabis shall be conducted indoors.

C. A security plan that meets or exceeds State of Connecticut requirements shall be submitted with the application for any type of cannabis facility permitted under these regulations.

- D. Applicants for Production, Cultivator and Micro-cultivator facilities shall submit plans for the storage of fertilizers used in the operation which shall detail fire safety measures that will be in place once the facility is in operation.

"CANNABIS" RELATED TERMS

(Note: where there may be conflicts in the state versus local definition of terms the State Statutory definitions shall govern)

Cannabis - marijuana, as defined in section 21a-240 of the Connecticut General Statutes (CGS) as may be amended from time to time;

Cannabis Establishment. - Producer, dispensary facility, cultivator, micro-cultivator, retailer, hybrid retailer, food and beverage manufacturer, product manufacturer, product packager and or delivery service.

"Cannabis product" means cannabis that is in the form of a cannabis concentrate or a product that contains cannabis, which may be combined with other ingredients, and is intended for use or consumption.

"Consumer" means an individual who is twenty-one years of age or older.

"Cultivation" has the same meaning as provided in section 21a-408 of the CGS as may be amended from time to time;

"Cultivator" means a person that is licensed to engage in the cultivation, growing, and propagation of the cannabis plant at an establishment with not less than fifteen thousand square feet of grow space.

Delivery Service. A person that is licensed to deliver cannabis from (A) micro-cultivators, retailers and hybrid retailers to consumers and research program subjects, and (B) hybrid retailers and dispensary facilities to qualifying patients, caregivers and research program subjects, as defined in Section 21a-408, C.G.S., or to hospices or other inpatient care facilities licensed by the Department of Public Health pursuant to Chapter 368v, C.G.S. that have a protocol for the handling and distribution of cannabis that has been approved by the department, or a combination thereof.

Dispensary Facility. Means a place of business where cannabis may be dispensed, sold or distributed in accordance with Chapter 420f, C.G.S. and any regulations adopted thereunder, to qualifying patients and caregivers, and to which the department has issued a dispensary facility license under Chapter 420f, C.G.S. and any regulations adopted thereunder.

Food and Beverage Manufacturer. A person that is licensed to own and operate a place of business that acquires cannabis and creates food and beverages.

"Hybrid retailer" means a person that is licensed to purchase cannabis and sell cannabis and medical marijuana products;

"Micro-cultivator" means a person licensed to engage in the cultivation, growing, and Propagation of the cannabis plant at an establishment containing not less than two thousand square feet and not more than ten thousand square feet of grow space, prior to any expansion authorized by the Commissioner of Consumer Protection;

"CANNABIS" RELATED TERMS

Person. An individual, partnership, limited liability company, society, association, joint stock company, corporation, estate, receiver, trustee, assignee, referee or any other legal entity and any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination thereof.

Product Packager. A person that is licensed to package and label cannabis and cannabis products.

"Production facility" means a secure, indoor facility where the production of marijuana occurs and is operated by a person to whom the Connecticut Department of Consumer Protection has issued a production facility permit under CGS Sec. 21a-408 et seq. as amended and Sections 21a-408-1 to 21a-408-70, inclusive, of the Regulations of Connecticut State Agencies as they may be amended.

"Retailer" means a person, excluding a dispensary facility and hybrid retailer that is licensed to purchase cannabis from producers, cultivators, micro-cultivators, product manufactures and food and beverage manufacturers and to sell cannabis to consumers and research programs.

Transporter. Means a person licensed to transport cannabis between cannabis establishments, laboratories and research programs.

Bloomfield Center District
(New Language in **Bold Underline**)

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4.1.D Principal Uses and Structures.

4. Authorized by Special Permit. The following uses and structures require approval of a Special Permit application in accordance with Section 9.5:
 - a. Affordable housing for volunteer municipal firefighters in accordance with Section 7.3
 - b. Alcoholic liquor sales in accordance with Section 7.4
 - c. Amusement enterprises.
 - d. Banks.
 - e. Banquet facilities.
 - f. Bed and breakfast inns in accordance with Section 7.6.
 - g. Billiard parlor.
 - h. **Cannabis Retailer; Dispensary facilities and Hybrid-retailers in accordance with Section 7.17.**

Renumber all subsequent uses in list.

4.3 I-1 GENERAL INDUSTRY DISTRICT (I-1).
(New Language in **Bold Underline**)

4. Authorized by Special Permit. The following uses and structures may be authorized upon the issuance of a Special Permit in accordance with Section 9.5.
 - a. Adult-oriented establishments in accordance with Section 7.2.
 - b. Affordable housing for volunteer municipal firefighters in accordance with Section 7.3
 - c. Alcoholic liquor sales in accordance with Section 7.4.
 - d. Any nonresidential use, not otherwise prohibited, which takes place within the confines of an enclosed building where no goods, equipment or materials are stored outside.
 - e. **Cannabis Dispensary facilities, Production facilities, Cannabis retailer, Hybrid-retailer, Cultivator and Micro-cultivator facilities in accordance with Section 7.17**

Renumber all subsequent uses in list.

4.4.C I-2 RESTRICTED INDUSTRY DISTRICT (I-2).
(New Language in **Bold Underline**)

4. Authorized by Special Permit. The following uses and structures may be authorized upon the issuance of a Special Permit in accordance with Section 9.5.
 - a. Adult-oriented establishments in accordance with Section 7.2.
 - b. Affordable housing for volunteer municipal firefighters in accordance with Section 7.3.
 - c. Alcoholic liquor sales in accordance with Section 7.4.

- d. Automotive repair services and gasoline service stations. Where special circumstances relating to the site exist, the Commission may approve a limited number of vehicles or ancillary items to be stored outside in suitably screened areas as a part of the special permit process for automotive repair services.
- e. Bulky waste disposal area in accordance with Section 7.7.
- f. Bulky waste recycling facility in accordance with Section with Section 7.7
- g. **Cannabis Dispensary facilities, Production facilities, Cannabis retailer, Hybrid-retailer, Cultivator and Micro-cultivator facilities in accordance with Section 7.17**

Renumber all subsequent uses in list.

4.5 BLUE HILLS GATEWAY DISTRICT (GWD).

New Language in **Bold Underline**

- 4. Authorized by Special Permit. The following uses and structures may be authorized upon the issuance of a special permit in accordance with Section 9.5:
 - a. Alcoholic liquor sales in accordance with Section 7.4**Error! Reference source not found..**
 - b. Automotive service uses. New automotive service uses shall be discouraged because of the traffic generation, the general detrimental effect upon the adjoining residential neighborhood, and lack of need for additional outlets in the GWD. Only after a public hearing and a finding of need demonstrated to the Commission, shall new automotive service uses be permitted.
 - h. **Cannabis Retailer; Dispensary facilities and Hybrid-retailer in accordance with Section 7.17**

Renumber all subsequent uses in list.

4.7 COMMERCIAL DISTRICT (C)

New Language in **Bold Underline**

- 4. Uses and Structures Authorized by Special Permit. The following principal uses and structures may be authorized upon the issuance of a Special Permit in accordance with Section 9.5:
 - a. Affordable housing for volunteer municipal firefighters in accordance with Section 7.3.
 - b. Alcoholic liquor sales in accordance with Section 7.4.
 - c. Automobile refueling stations with convenience markets with at least 2 electric vehicle charging stations on parcels of at least three (3.0) acres in size.
 - d. **Cannabis Retailer; Dispensary facilities and Hybrid-retailer in accordance with Section 7.17**

Renumber all subsequent uses in list.